

MEMORANDUM

Agenda Item No. 3(A)(2)

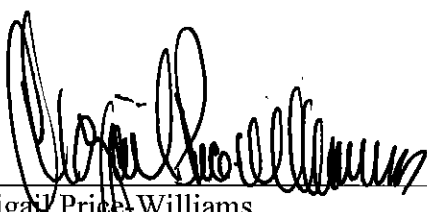
TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: July 19, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution declaring 3000 feet of steel railroad track and assorted steel clips and plates surplus; authorizing their donation to Gold Coast Railroad Museum, Inc.; and authorizing the County Mayor to execute a community based organization agreement, to exercise any and all other rights conferred therein and to take any and all actions necessary to effectuate the foregoing

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.



Abigail Price-Williams
County Attorney

APW/smm



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: July 19, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 3(A)(2)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 3(A)(2)
7-19-16

RESOLUTION NO. _____

RESOLUTION DECLARING 3000 FEET OF STEEL RAILROAD TRACK AND ASSORTED STEEL CLIPS AND PLATES SURPLUS; AUTHORIZING THEIR DONATION TO GOLD COAST RAILROAD MUSEUM, INC.; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE A COMMUNITY BASED ORGANIZATION AGREEMENT, TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN AND TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE FOREGOING

WHEREAS, the materials described below are owned by Miami-Dade County; and

WHEREAS, the materials are obsolete, and their continued usage by Miami-Dade County is uneconomical and inefficient and the materials serve no useful purpose; and

WHEREAS, Gold Coast Railroad Museum, Inc., (the "Donee") desires to use the materials only within Miami-Dade County to enhance its ability to provide services to its constituents, for the purpose outlined in the attached community based organization agreement; and

WHEREAS, the Donee is a private non-profit agency as defined in Section 273.01(3) of the Florida Statutes, and is exempt from federal income taxation by virtue of Section 501 of the Internal Revenue Code; and

WHEREAS, the Donee is an eligible community based organization, as defined in Section 2-11.2.1 of the Code of Miami-Dade County; and

WHEREAS, Miami-Dade County's Internal Services Department has complied with the requirements of Section 2-11.2.1, by offering the materials to other Miami-Dade County departments and agencies, none of which accepted the materials; and

WHEREAS, the materials are eligible for donation under Section 274.05 of the Florida Statutes, and Section 2-11.2.1 of the Code of Miami-Dade County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board declares the following materials, with the listed residual value and other characteristics, to be surplus pursuant to Section 274.05 of the Florida Statutes, and Section 2-11.2.1 of the Code of Miami-Dade County:

<u>Item</u>	<u>I.D. No.</u>	<u>Condition</u>	<u>Est. Value</u>
3000 feet of steel railroad track	N/A	Fair	\$17,100
Assorted steel clips & plates	N/A	Fair	\$4,000

Section 2. This Board authorizes donation of the materials to the Donee, and authorizes the County Mayor or County Mayor's designee to execute the community based organization agreement in substantially the form attached hereto and incorporated herein by this reference and to exercise any and all other rights conferred therein.

The Donee shall take possession of the materials within 60 days of the effective date of this resolution. The Donee shall be responsible for any and all costs of transferring the materials. The County Mayor or County Mayor's designee shall and is hereby authorized to take any and all actions necessary to effectuate the intent of this resolution.

Section 3. If, for any reason, the donee fails to take possession of the materials within 60 days of the effective date of this resolution, then this resolution shall be null and void, and the ownership rights to the materials shall remain with the County.

The Prime Sponsor of the foregoing resolution is Commissioner Dennis C. Moss. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	
Esteban L. Bovo, Jr., Vice Chairman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 19th day of July, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

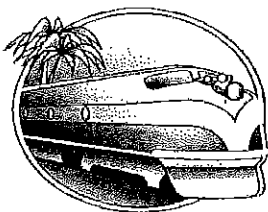
HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Daija Page Lifshitz



GOLD COAST RAILROAD MUSEUM

12450 SW 152nd Street
Miami, FL 33177-1402
305-253-0063

March 6, 2016

Mr. Samuel E. Wilson IV
Legislative Assistant
Office of Commissioner Dennis C. Moss
10710 SW 211th Street, Suite 206
Miami, Florida 33189

Re: Surplus Transit Department Railroad Equipment

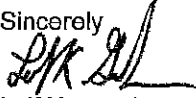
Dear Mr. Wilson

Attached you will find the formal documents related to our request for the transfer of surplus rail equipment from the Miami Dade County Transit Department to the Gold Coast Railroad Museum. We have had multiple communications with Mr. Jerry Blackman of Miami Dade Transit regarding this issue, he has advised us that the equipment has served its useful life and can no longer be used for Metrorail passenger service.

Our museum has operated since 1957 in South Florida and was originally founded by a group of historic preservationist affiliated with the University of Miami who began collecting the Railroad History of South Florida. They selected the site of the former Richmond Naval Air Station to house the collection as the Air Base had rail access to the Florida East Coast Railroad line and was the at that time the location of the University of Miami's South Campus. Today we occupy over 40 acres of county owned land adjacent to Zoo Miami and serve over 10,000 visitors per year who come from all over the world to see and experience South Florida's Railroad Museum. Our Museum continues to preserve South Florida's heritage and cultural history and provides thousands of young students an educational opportunity to see up close and experience an active Railroad operation. Our Museum was designated as the Official Railroad Museum of the State of Florida by the State Legislature and currently houses over 40 Historic Railcars, two of which are listed on the National Register of Historic Landmarks. Additionally our collection contains two of the original Metromover cars serving the Downtown Loop which the county replaced years ago and donated to the Museum.

We intend to use this surplus equipment for repair, replacement and expansion of our onsite track and rail yard operations in conformity with our approved master plan.

Thank You for your assistance with this matter and we appreciate Commissioner Moss's continued support of our efforts and the very beneficial long term partnership with Miami Dade County.

Sincerely

Leif K. Gunderson
Project Coordinator
305-632-6877

**MIAMI-DADE COUNTY
SURPLUS PROPERTY ALLOCATION APPLICATION**

COUNTY SURPLUS PROPERTY ALLOCATIONS REQUESTED THROUGH THIS PROCESS ARE NOT EFFECTIVE UNTIL APPROVED BY ACTION OF THE BOARD OF COUNTY COMMISSIONERS PURSUANT TO THE MIAMI-DADE COUNTY HOME RULE CHARTER

Please complete and sign the following form and submit it along with requested documents to your sponsoring Commissioner. Once accepted, the sponsoring Commissioner will submit the documents to:

Internal Services Department-Fixed Assets Manager
2225 N. W. 72 Ave
Miami, FL 33122

Phone: (305) 592-3752
Fax: (305) 592-3616

1. Full legal name of the requesting organization: **Gold Coast Railroad Museum, Inc**

2. Applicant Status: (Select one of the choices below)

- ☒ Not-For-Profit or Tax Exempt ☐ Local Government or Public Entity
☐ For-Profit
☐ Other (specify): _____

**If Not-For-Profit or Tax Exempt, please attach a copy of letter from Internal Revenue Service designating status under 501c code.

3. Name and contact information for single point of contact (address, phone, fax, e-mail address, etc.):

**Leif K. Gunderson, Project Coordinator, 12450 S.W. 152 Street, Miami, Florida 33177-1402
Cell Phone 305-632-6877 email leif1234@aol.com**

4. Specify the surplus property requested (quantify, if applicable):

Surplus transit equipment consisting of approximately 2000 used concrete railroad ties, 4000 feet of steel railroad track plus steel clips and plates.

5. Specify the purpose for which the surplus property will be used:

For repair, replacement and expansion of the museums on site train track and or rail yard improvements located on county property at 12450 S.W. 152 Street, Miami, Florida This Railroad museum has been in existence since 1957 and actively serves over 10,000 visitors per year. The museum has been designated as the official rail museum of the State of Florida by the Florida Legislature and is home to over 40 historic rail cars. Two of the Rail cars in the collection have been registered on the National Register of Historical Landmarks including the #153 Steam engine used by the Flagler Railroad (FEC) for regular passenger service to Miami and Key West plus the Presidential Car "Ferdinand Magellan" used by four United States Presidents to travel the country..

I hereby certify that all the statements made in this application are true and correct.

Leif K. Gunderson PRESIDENT
Signature of Authorized Representative

3/4/2016
Date

Community Based Organization Donation Agreement

This agreement is entered into between Miami-Dade County (hereafter "County") and The Gold Coast Railroad Museum, Inc. (hereafter "Donee") as follows:

For and in Consideration of the County donating 3000 ft of steel railroad track and assorted steel clips and plates to Donee, and Donee agreeing to the use and as described herein: for repair, replacement and expansion of the museums on site train tracks and or rail yard improvements located on county property at 12450 SW 152 Street, Miami, FL AS IS,

Donee certifies that it is a not-for-profit agency, group, organization, society, association, corporation, partnership or individual that provides a community service designed to improve or enhance the well-being of the community of Miami-Dade County at large or to improve or enhance the well-being of certain individuals within this community that have special needs.

Donee agrees that it shall predominantly utilize the donated surplus property for the intended use specified in section no. 5 of the "Surplus Property Allocation Application", attached hereto. (Attachment A) Moreover, this Community Based Organization (CBO) shall not resell or otherwise dispose of or transfer such property without prior County approval for a period of not less than three (3) years from the date of receipt of the surplus property. This three (3) year requirement may be waived administratively by the Mayor or designee upon showing that it is in the best interest of Miami Dade County. Upon the disposal of such property, Donee agrees to notify Miami Dade County. Upon the failure of the Donee to use the property as set forth in the "Surplus Property Allocation Application", or upon the Donee's attempt to dispose of or transfer the property prior to the expiration of the three (3) year period set forth herein, title to the surplus property shall immediately revert to the County and Donee shall immediately return possession of the property to the County.


The Donee agrees that it shall indemnify and hold harmless Miami Dade County, and its officers, employees, agents and instrumentalities et.al. from any and all liability, losses or damages, including attorney's fees and costs of defense, which the County or its officers, employees, agents or instrumentalities may incur as a result of claims, demands, suits, causes of actions or proceedings of any kind or nature arising out of, relating to or resulting from the transfer of ownership, maintenance or use of the donated property or by subsequent acts by the Donee, its agents, employees, et.al., and/or the performance of this Agreement by the Donee or its employees, agents, servants, partners, principals.

Community Based Organization Donation Agreement

The Donee shall pay all claims and losses in connection therewith, and shall investigate and defend all claims, suits or actions of any kind or nature in the name of the County, where applicable, including appellate proceedings, and shall pay all costs, judgments, and attorney's fees which may issue thereon.

"According to section 2-1076 of the Code of Miami-Dade County, Florida, Miami-Dade County has established the Office of the Inspector General which may, on a random basis, perform audits, inspections, and reviews of all County contracts. This audit is separate and apart from any other audit by the County."

Gold Coast Railroad Museum, Inc.

By:  PRESIDENT
Signature

Date: 3/4/2016

JAMIE JONES
Printed Name

PRESIDENT
Title

Miami-Dade County:

By: _____

Date: _____

Internal Revenue Service

Date: November 1, 2004

Gold Coast Railroad Museum Inc.
12450 S.W. 152 St.
Miami, FL 33177-1402

Department of the Treasury
P. O. Box 2508
Cincinnati, OH 45201

Person to Contact:
Paul Perry 31-07423
Customer Service Representative
Toll Free Telephone Number:
8:00 a.m. to 6:30 p.m. EST
877-829-5500
Fax Number:
513-263-3756
Federal Identification Number:
59-6136069

Dear Sir or Madam:

This is in response to your request of November 1, 2004, regarding your organization's tax-exempt status.

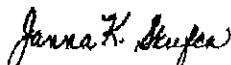
In January 1960 we issued a determination letter that recognized your organization as exempt from federal income tax. Our records indicate that your organization is currently exempt under section 501(c)(3) of the Internal Revenue Code.

Our records indicate that your organization is also classified as a public charity under section 509(a)(2) of the Internal Revenue Code.

Our records indicate that contributions to your organization are deductible under section 170 of the Code, and that you are qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Internal Revenue Code.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely,



Janna K. Skufca, Director, TE/GE
Customer Account Services



Exempt Organizations Select Check

[Exempt Organizations Select Check Home](#)

Organizations Eligible to Receive Tax-Deductible Charitable Contributions (Pub. 78 data) - Search Results

The following list includes tax-exempt organizations that are eligible to receive tax-deductible charitable contributions. Click on the "Deductibility Status" column for an explanation of limitations on the deductibility of contributions made to different types of tax-exempt organizations.

Results are sorted by EIN. To sort results by another category, click on the icon next to the column heading for that category. Clicking on that icon a second time will reverse the sort order. Click on a column heading for an explanation of information in that column.

1-1 of 1 results

Results Per Page

« Prev | 1-1 | Next »

EIN ▲	Legal Name (Doing Business As) ▲	City ▲	State ▲	Country ▲	Deductibility Status ▲
59-6136069	Gold Coast Railroad Museum Inc.	Miami	FL	United States	PC

« Prev | 1-1 | Next »



Consumer's Certificate of Exemption

Issued Pursuant to Chapter 212, Florida Statutes

DR-14
R. 04/11

85-8012666945C-0	04/13/2015	04/30/2020	501(C)(3) ORGANIZATION
Certificate Number	Effective Date	Expiration Date	Exemption Category

This certifies that

GOLD COAST RAILROAD MUSEUM INC
12450 SW 152ND ST
MIAMI FL 33177-1402

is exempt from the payment of Florida sales and use tax on real property rented, transient rental property rented, tangible personal property purchased or rented, or services purchased.



Important Information for Exempt Organizations

DR-14
R. 04/11

1. You must provide all vendors and suppliers with an exemption certificate before making tax-exempt purchases. See Rule 12A-1.038, Florida Administrative Code (F.A.C.).
2. Your *Consumer's Certificate of Exemption* is to be used solely by your organization for your organization's customary nonprofit activities.
3. Purchases made by an individual on behalf of the organization are taxable, even if the individual will be reimbursed by the organization.
4. This exemption applies only to purchases your organization makes. The sale or lease to others of tangible personal property, sleeping accommodations, or other real property is taxable. Your organization must register, and collect and remit sales and use tax on such taxable transactions. Note: Churches are exempt from this requirement except when they are the lessor of real property (Rule 12A-1.070, F.A.C.).
5. It is a criminal offense to fraudulently present this certificate to evade the payment of sales tax. Under no circumstances should this certificate be used for the personal benefit of any individual. Violators will be liable for payment of the sales tax plus a penalty of 200% of the tax, and may be subject to conviction of a third-degree felony. Any violation will require the revocation of this certificate.
6. If you have questions regarding your exemption certificate, please contact the Exemption Unit of Account Management at 800-352-3671. From the available options, select "Registration of Taxes," then "Registration Information," and finally "Exemption Certificates and Nonprofit Entities." The mailing address is PO Box 6480, Tallahassee, FL 32314-6480.

GUIDESTAR[®] Premium Pay As You Go REPORT



GuideStar Report Generated For: **GOLD COAST RAILROAD MUSEUM INC**

Report Generated On: March 3, 2016 at 11:23 PM ET

EIN: 59-6136069

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*Denotes data that is available with purchase of Premium Report

Content Included with Premium Report Purchase

✓ Financial Data for fiscal year(s):

- 2014
- 2013
- 2012
- 2011
- 2010

✓ 2014 Financial Charts

✓ Forms 990 for fiscal year(s):

- 2014
- 2013
- 2012
- 2011
- 2010

✓ Officer, Director, Key Employee and Highest Paid Employee Data for fiscal year(s):

- 2014
- 2013
- 2012
- 2011
- 2010

GuideStar Premium Report for **GOLD COAST RAILROAD MUSEUM INC**

EIN: 59-6136069

Report Generated: March 3, 2016



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FLORIDA DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES
COMMISSIONER ADAM H. PUTNAM

May 2, 2016

Refer To: CH48019

GOLD COAST RAILROAD MUSEUM, INC.
12450 SW 152ND ST
MIAMI, FL 33177-1402

RE: GOLD COAST RAILROAD MUSEUM, INC.
REGISTRATION#: CH48019
EXPIRATION DATE: May 2, 2017

Dear Sir or Madam:

The above-named organization/sponsor has complied with the registration requirements of Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A COPY OF THIS LETTER SHOULD BE RETAINED FOR YOUR RECORDS.

Every charitable organization or sponsor which is required to register under s. 496.405 must conspicuously display the registration number issued by the Department and in capital letters the following statement on every printed solicitation, written confirmation, receipt, or reminder of a contribution:

"A COPY OF THE OFFICIAL REGISTRATION AND FINANCIAL INFORMATION MAY BE OBTAINED FROM THE DIVISION OF CONSUMER SERVICES BY CALLING TOLL-FREE (800-435-7352) WITHIN THE STATE. REGISTRATION DOES NOT IMPLY ENDORSEMENT, APPROVAL, OR RECOMMENDATION BY THE STATE."

The Solicitation of Contributions Act requires an annual renewal statement to be filed on or before the date of expiration of the previous registration. The Department will send a renewal package approximately 30 days prior to the date of expiration as shown above.

Thank you for your cooperation. If we may be of further assistance, please contact the Solicitation of Contributions section.

Sincerely,

Mac Smith

Mac Smith
Regulatory Consultant
850-410-3721
Fax: 850-410-3804
E-mail: kennedy.smith@freshfromflorida.com

Jiron, Obed (ISD)

From: Miami-Dade-County <donotreply@miamidade.gov>
Sent: Tuesday, May 03, 2016 12:57 PM
Subject: Notice of Surplus of County Property

Item	Condition
Approx. 2000 used concrete rail ties	Fair
4000ft of steel railroad track	Fair
Assorted steel clips & plates	Fair

ALL COUNTY DEPARTMENTS THAT MAY HAVE AN OPERATIONAL USE FOR THESE ITEMS, OR, APPLICABLE GOVERNMENTAL ENTITIES AND NOT-FOR-PROFIT AGENCIES THAT ARE SEEKING DONATION OF ANY OF THESE ITEMS MUST CONTACT Mr. Obed Jiron at obedj@miamidade.gov TO COORDINATE VIEWING AND ALLOCATION OF THE ITEM(S). THE DEADLINE FOR VIEWING AND ALLOCATION OF THE ITEM(S) IS: Friday, 05/06/2016

MOREOVER, PURSUANT TO SECTION 2-11.2.1 OF THE CODE OF MIAMI-DADE COUNTY, ITEMS WILL BE ALLOCATED IN THE FOLLOWING ORDER OF PREFERENCE:

First, to the Parks and Recreation Department at no cost for use in the Department's preventative programs; and thereafter, to other County Departments and agencies at no cost for use in Miami-Dade County. The County shall thereafter offer such surplus property by sale or donation to other governmental units located within Miami-Dade County for use in Miami-Dade County or shall have the discretion to offer the property to eligible community based organizations by sale or donation.

To unsubscribe please follow the following steps:

1. From ISD Website under County Store select Auction Mail tab (Green button to the right)
<http://www.miamidade.gov/internalservices/county-store.asp>
2. Enter Registered Email to update and click submit
3. Scroll down page, and Select Unsubscribe, then click Update Button. Done !